

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

EARL INGELS,

Petitioner,

: Case No. 1:21-cv-561

- vs -

District Judge Matthew W. McFarland  
Magistrate Judge Michael R. Merz

WARDEN, North Central  
Correctional Institution,

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Respondent.

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**DECISION AND ORDER DENYING RENEWED MOTION TO  
EXPAND THE RECORD**

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This habeas corpus case is before the Court on Petitioner's renewed Motion to Expand the Record (ECF No. 39).

This is Ingels' third motion to expand the record (See ECF Nos. 31, 35). In addition he sought to have this Court take judicial notice of certain of these documents which are not in the state court record (ECF No. 15, 25). In denying Ingels' second motion to expand the record, the Magistrate Judge noted that it would undermine judicial economy to expand the record after a dispositive report and recommendation has been filed and also that the proposed Affidavit of Kimberly Steiritz was, although self-authenticating, incompetent and hearsay (Decision, ECF No. 36, PageID 1739).

The law and the relevant facts have not changed since the Court denied Ingels' second Motion to Expand. The instant third Motion is likewise denied.

IT IS SO ORDERED.

December 13, 2022.

*s/ Michael R. Merz*  
United States Magistrate Judge